

ORIGINAL

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JUSTIN STEVERSON,

Defendant

MAG. NO. 09-0353

CRIMINAL COMPLAINT

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

16 MAY 08 2009
at 10 o'clock and 25 min. AM.
SUE BEITIA, CLERK

CRIMINAL COMPLAINT

I, Thayne Costa, being duly sworn, state the following is true and correct to the best of my knowledge and belief.

On or about May 7, 2009, in the District of Hawaii, defendant JUSTIN STEVERSON, did knowingly and intentionally attempt to possess with intent to distribute, fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, to wit, approximately 260 grams (gross weight), a Schedule II controlled substance,

In violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(A).

I further state that I am a DEA Task Force Officer and that this Complaint is based upon the facts set forth in the attached "Affidavit in Support of Criminal Complaint", which is incorporated herein by reference.

Sworn to before me and
subscribed in my presence,
this 8th day of May
2009, at Honolulu, Hawaii.

Thayne Costa
Thayne Costa
COMPLAINANT

~~BARRY M. KURREN~~

United States Magistrate Judge

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

Thayne Costa, after being duly sworn, deposes and states as follows:

1. I am a Honolulu Police Officer that is cross deputized as a Task Force Officer with the U.S. Drug Enforcement Administration (DEA), currently assigned to the DEA Airport Drug Task Force at Honolulu International Airport, HI.
2. On May 7, 2009, the Federal Express security manager conducted an inspection of incoming parcels at the FedEx facility at the Honolulu Airport. The security officer observed one (1) large brown box addressed to: "Uhanekai Arlantino, Aston Waikiki Hotel, 2570 Kalakaua Ave., Honolulu, HI 96813", with Sender listed as: "Steverson, 1865 Peterson, Santa Rosa, CA., 95403", bearing FedEx tracking number 8660 6158 4574, hereafter referred to as "subject parcel." The security manager opened the subject parcel and a smaller box, which was located inside the subject parcel. The security manager opened a large candle, which was inside the smaller box, and discovered a clear plastic bag, which further contained eight clear plastic bags each containing suspected methamphetamine. The security manager contacted the Drug Enforcement Administration (DEA) and the DEA picked the subject parcel up from the security manager.
3. The subject parcel contained approximately one-half pound of crystal methamphetamine (confirmed by field-test) Based on my training and experience, possession of this quantity of methamphetamine is not consistent with personal use but rather is more consistent with distribution.
4. For the purpose of the controlled delivery the crystal methamphetamine was replaced with pseudo crystal methamphetamine (i.e. rock salt). The replacement plastic bags, which contained pseudo crystal methamphetamine were dusted with a "Sirchie"-type powder which becomes visible when exposed to UV or "black" light. In addition, an electronic beeper device was placed within the rewrapped subject parcel, which would indicate when the parcel was opened.

5. At approximately 5:30 pm, the subject parcel was delivered to the Aston Waikiki Hotel, 2570 Kalakaua Avenue, Honolulu, HI. An unknown employee accepted the subject parcel.
6. At approximately 5:45 pm a male, who was later identified as Justin Steverson was observed by law enforcement picking up the subject parcel from the front desk. Surveillance was maintained on Steverson as he walked toward the elevators of the hotel, however, surveillance was temporarily lost. It was determined that Steverson had taken the elevator to the eighth floor and entered room 827. Through prior investigation, law enforcement learned that the listed recipient on the subject parcel worked at the hotel and had reserved room 827 for Erica Bongberg. Law enforcement also learned that Bongberg was from Santa Rosa, CA.
7. At approximately 6:25 pm, the beeper device signaled that the subject parcel had been opened. DEA agents proceeded to Room 827 and knocked and announced "Police" twice. After about thirty seconds, Justin Steverson opened the door. Agents entered the room and secured it. Agents also observed the subject parcel in the room and that it had been opened. The "pseudo" crystal methamphetamine was missing from the parcel. Steverson's hands and person was examined under the "black" light. "Sirchie"-type powder was present on both of Steverson's hands. Steverson was placed under arrest without incident.
8. SA Gerald Lawson read Steverson his Constitutional Rights. Steverson elected to waive his rights and answer questions. Steverson admitted to having the subject parcel sent to the hotel and that he was planning to sell the eight ounces of ice that were contained within the subject parcel. Steverson also admitted to having two other parcels sent to Hawaii, which contained four ounces and five ounces of ice in the past month. Steverson admitted to selling the ice from those shipments in eight-ball (3.5 grams) and half ounce quantities.

FURTHER AFFIANT SAYETH NAUGHT.


THAYNE COSTA

This Criminal Complaint and Affidavit in support thereof were presented to, approved by, and probable cause to believe that the defendant above-named committed the charged crime found to exist by the undersigned Judicial Officer at 10:45 a.m. on May 8, 2008.

Subscribed and Sworn to Before Me,
this 8th Day of May 2009.


BARRY M. KURREN
United States Magistrate Judge